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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES ESCANDON JR.,

Defendant.

CASE NO. 1:18-CR-185-JLT-SKO/1:23-CR-222-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and James Escandon Jr.,
by and through defendant's counsel of record, Alekxia L. Torres Stallings hereby stipulate as follows:

1. By previous order, this matter was set for trial on December 3, 2024. Dkt. 21.
2. By this stipulation, defendant now moves to continue the trial until August 11, 2025, and to exclude time between December 3, 2024, and August 11, 2025, under 18 U.S.C. § 3161(h)(7)(A), B(iv). The parties anticipate the trial will last approximately 4 days.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government provided discovery to defense counsel on November 13, 2023. Defense counsel has reviewed the discovery and is continuing to conduct her own investigation. Defense counsel sent a request for additional discovery on May 29, 2024, and on October 31, 2024. The government provided the discovery requested in May and is in the process of getting

1 the October requested discovery and providing it to the defense. The defense requires this
2 discovery to assess whether to file a motion to suppress.

3 b) The parties will continue to engage in discussions regarding a resolution of the
4 case. The Government provided a plea offer to Mr. Escandon Jr. on July 26, 2024. The parties
5 request additional time to discuss potential resolution of the case.

6 c) Counsel for the defendant desires additional time to consult with her client, to
7 review the current charges, to conduct investigation and research related to the charges, to review
8 and/or copy discovery for this matter, to discuss potential resolutions with her client, to prepare
9 pretrial motions, and to otherwise prepare for trial.

10 d) Counsel for the defendant believe that failure to grant the above-requested
11 continuance would deny them the reasonable time necessary for effective preparation, taking into
12 account the exercise of due diligence.

13 e) The government does not object to the continuance.

14 f) Based on the above-stated findings, the ends of justice served by continuing the
15 case as requested outweigh the interest of the public and the defendant in a trial within the
16 original date prescribed by the Speedy Trial Act.

17 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
18 et seq., within which trial must commence, the time period of December 3, 2024 to August 11,
19 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because it
20 results from a continuance granted by the Court at defendant's request on the basis of the Court's
21 finding that the ends of justice served by taking such action outweigh the best interest of the
22 public and the defendant in a speedy trial.

23 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
24 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
25 must commence. IT IS SO STIPULATED.

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DATED: November 7, 2024

PHILLIP A. TALBERT
United States Attorney

By: /s/ Arin C. Heinz
ARIN C. HEINZ
Assistant U.S. Attorney

DATED: November 7, 2024

By: /s/ Alekxia L. Torres Stallings
ALEKXIA L. TORRES STALLINGS
Attorney for Defendant
JAMES ESCANDON JR.

IT IS SO ORDERED.

Dated: **November 8, 2024**


UNITED STATES DISTRICT JUDGE